

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead District held in the Town Hall, Riverhead, New York on Tuesday, August 15, 1989 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilwoman

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited .

Supervisor Janoski, "We have with us this evening, members of the Boy Scouts of America who are camped at Baiting Hollow. They are undergoing Eagle Scout training and I've asked Troy if he wouldn't leave us in the Pledge of Allegiance. The boys are going to see a lesson in democracy this evening. They will see, first hand, the idea of the peoples right to speak. So before we get to that business, let us take care of the approval of the Board Meeting Minutes of August 1, 1989."

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Minutes of Regular Board Meeting held on August 1, 1989 are hereby dispensed and approved without objection.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Reports please."

REPORTS

Planning Board, 8/7/89-Approves minor subdivision of Fred Gallo, Jr.; Charles Jarzombek and Lessard and Raynor. Approves request of David Saland final plat of Aquebogue Associates. Filed

Malcolm Pirnie-Submitting evaluations for Bridgewater Estate Sewer Extension. Filed

Open Bid Report Town Wide Drainage

Filed

Bid Date: August 7, 1989
5 Bids Submitted

#1 NAME: Patrick Bistran, Jr., Inc.
ADDRESS: Easthampton, NY
TOTAL BID: \$149,400

#2 NAME: Grimes Contracting
ADDRESS: Montauk, NY
TOTAL BID: \$159,000

#3 NAME: Riverhead Cement Block
ADDRESS: Riverhead, NY
TOTAL BID: \$169,801

#4 NAME: Hoeffner Industries
ADDRESS: Hauppauge, NY
TOTAL BID: \$309,200

#5 NAME: Newborn Construction
ADDRESS: Center Moriches, NY
TOTAL BID: \$496,000

Open Bid Report - Middle Road Drainage

Filed

Bid Date: August 15, 1989
8 Bids Submitted

#1 NAME: Fletcher Contracting
ADDRESS: Bellmore, NY
TOTAL BID: \$399,498.25

#2 NAME: Grimes Contracting Co.

ADDRESS: Montauk, NY

TOTAL BID: \$468,923

#3 NAME: Guy Pratt, Inc.

ADDRESS: Holtsville, NY

TOTAL BID: \$736,336

#4 NAME: Newborn Construction

ADDRESS: Center Moriches, NY

TOTAL BID: \$561,342

#5 NAME: Lapadula Construction

ADDRESS: Miller Place, NY

TOTAL BID: \$606,757

#6 NAME: Bi County Construction

ADDRESS: East Setauket, NY

TOTAL BID: \$649,220

#7 NAME: A.M.B. Equipment Leasing Corp.

ADDRESS: Hicksville, NY

TOTAL BID: \$870,390

#8 NAME: I.P.I. Industries

ADDRESS: Ronkonkoma, NY

TOTAL BID: \$827,085

Supervisor Janoski, "Applications."

APPLICATIONS & PETITION

Parade Permit-Living Water Full Gospel Church for assembly on August 26, 1989. Filed

Petition-30 form letters stating that Vail Leavitt Corp. should retain deed and be designated lead agency. Filed

Petition-1178 residents of Riverhead opposing prohibition of vehicles on the beaches. Filed

Change of Zone-Olin Warner, Jr from Industrial "A" to Recreational District overlay, River Road. Filed

Exhibition Permit-Virgin Atlantic Airways for a Balloon Display on August 19 and 20. Filed

Exhibition Permit-Robert O'Rourke-Auto Parts Swap Meet at Riverhead Raceway on 10/8/89. Filed

Supervisor Janoski, "Correspondence."

CORRESPONDENCE

Louis K. McLean, Assoc., 8/15/89-Advising that they recommend awarding bid to lowest bidder on the Annual Townwide Drainage Project. Filed

Duck Unlimited, 7/31/89-Urging support for the "Big Duck" to be moved to Indian Island golf course. Filed

Southold Town-Notice of Adoption of Local Law #14 & #15 of 1989. Filed

Pine Barrens Commission-Advising that existing zoning appears to conform with request of Walter Baer. Filed

Suffolk County Dept. of Planning, 8/4/89-Advising if no objections re: Southold Local Laws #14 & #15-1989 received by 8/24/89, it's assumed there are none. Filed

H2M Corp., 8/3/89-Advising that payment is due for completed work on Manor Lane Estates & Tall Oaks Estates. Filed

Southampton Town, 8/9/89-Notice of Adoption of Chapter 69-9E(2)(6). Filed

Riverhead Baymen Assoc., 8/11/89-Opposing proposed prohibition of four wheel drive vehicles on town beaches. Filed

Nature Conservancy, 8/12/89-Advising of population survey of beach nesting birds and of one site in Riverhead. Filed

John McKasity, 8/15/89-Stating vehement opposition to any change in existing ordinances re: four wheel drive vehicles on beaches. Filed

Cablevision, 8/10/89-Copy of letter to New York State Commission on Cable Television seeking approval of franchise transfer. Filed

Supervisor Janoski, "The time for the first scheduled public hearing has not yet arrived. We do have a lengthy list of Unfinished Business. Its status is described on the agenda. I would recognize anyone who wishes to be heard on any subject. Not the public hearings. But any subject, something that might be on the agenda or any other concern. That being the case, let us take up the resolutions. You have to come up here to the microphone ma'am."

Elaine Spero, Wading River, "I object to the jet skis that are coming into the shore when children are swimming all day long on the weekends."

Supervisor Janoski, "We have had a number of problems in that particular area in Wading River in which the jet skis were not only coming too close to the beaches but going into the wetlands. We have tried our best to enforce the law and apprehend them. And our Bay Constable should be notified and we will do that. He is doing an outstanding job of controlling that particular activity in all our waterways."

Elaine Spero, "I heard from the Police Department that he was coming down last weekend but the weather was not favorable and nobody was out."

Supervisor Janoski, "Well, we'll make sure he is advised of it. Is there any other comment on any subject at all. Let's do a couple of resolutions."

Resolution #567 moved from the table for Town Board action.
(See Page 927 of the 1989 Resolution Book)

Resolutions #575-#585 found on pages 928-956 of the 1989 Resolution Book.

Supervisor Janoski, "Let the record show that the hour of 7:45 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 15, 1989 at 7:45 p.m. to hear all interested persons wishing to be heard re: A Local Law to amend Section 65-6 of the Town Code for areas of special flood hazard.

Patricia Moore, Town Attorney, "The Town Code currently has at 65-6 this regulation. We are merely correcting an error that was made during the publication or when it was published; correcting the date which the map was prepared and the referral numbers."

Supervisor Janoski, "Is there anyone present who wishes to address the Board in the matter of amending 65-6 which is the special flood hazard area establishing those areas and merely is a correction of a date which was incorrectly put down as December 1, 1989 when it should have said June 1, 1989. That's the matter of the hearing. Is there anyone present wishing to address the Board on that matter? That being the case and without objection, I declare the hearing to be closed."

7:45 PUBLIC HEARING CLOSED AT 7:47

Resolutions #575-#601 found on pages 936-977 of the 1989 Resolution Book.

#590 APPROVES APPLICATION OF VIRGIN ATLANTIC AIRWAYS FOR A HOT AIR BALLOON INFLATION AND DISPLAY.

Councilman Boschetti, "I will second but I ask for discussion on this also. Do we have, from the School District, any sort of approval for this?"

Supervisor Janoski, "I spoke with Dr. Suprina today and he indicated his approval."

Councilman Boschetti, "And I received your letter regarding the Civic Association. Thank you."

Supervisor Janoski, "The usual course of events at Town Board meetings is that when we finish with the resolutions, we all go home. However, we do have a public hearing scheduled for 7:55. Before I call the notice of public hearing, I would just like to go through the procedure so that everyone has an understanding. A public hearing is a legal proceeding conducted by the Town Board in which we gather testimony, information from people who are willing to speak and present such information to the Board. It is a proceeding in which the individual person has the opportunity to express their opinion either for or against and to tell the Town Board why. And that is basically what we would like you to do tonight. Each individual has five minutes in a public hearing to express their opinion. That is quite a number of words but if after everyone who wishes to speak has spoken, you wish to be recognize again for a second time, we will entertain your further testimony to the Board. But please, we want to give everybody the opportunity to speak. So if you have spoken, don't come up again until everyone who wishes to speak has spoken. Please direct your comments to us. We are the individuals who are charged with receiving the information and basing our decision on what information you give us. Please do

not, while someone is speaking, call out or disagree or in any way interfere with the speaker. They have the floor. They have the microphone. It is their opportunity to be heard. Please do not direct comment to the audience if you are speaking. Please, as I say, don't interfere with the person who is speaking. When you are recognized, step up to the microphone, state your name and address and then it fly. Let us know how you feel. Hoping that everyone understands and please remember that we do have these Eagle Scout candidates with us who are viewing democracy in action. You know, you couldn't have come at a better time now that I think of it. So let the record show that the hour of 7:58 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, August 15, 1989 at 7:55 p.m. to hear all interested persons wishing to be heard re: **Proposed amendments to Chapter 48 of the Town Code regarding restrictions of motor vehicle operation on the beach.**

Supervisor Janoski, "Thank you. I think everyone understands what is being proposed here. So there is no need to explain it. Who wants to go first? Mr. Roberts."

William Roberts, Baiting Hollow, "Members of the Town Board, what I have to say may take a little bit longer than five minutes. Please allow me to speak just a little bit beyond that because apparently I will be the spokesman for other people and they will certainly not be taking five minutes."

Supervisor Janoski, "Well Mr. Roberts, I'm going to have to leave it up to the Town Board if they wish to change the rules of these public hearings. I have just said that everyone here has five minutes. I can't let everyone have six or seven minutes. So let's try to.... And you can come back again."

Bill Roberts, "I know. But I have some impact on what will follow. Before my comments start, I'd like to distribute what was taped to the back to each one your chairs trying to prove to you that I'm a hypocrite. That I have a permit to ride the town beaches. I have a permit on my four-wheel drive. I do not ride the town beaches. I use it merely to launch....."

Supervisor Janoski, "Mr. Roberts, wait until you get to the microphone."

Bill Roberts, "I do not use my four-wheel drive vehicle to ride the beaches. I use it to launch and retrieve my boat when I fish and I haven't been able to fish because of illnesses. So with that out of the way... Now I'll arouse everybody's attention all over again with a survey and a deed. Everybody who

owns a parcel in this town, the state and country, has a deed and survey."

Supervisor Janoski, "George, I will if you do that again, do something very nasty to you."

Bill Roberts, "In words (inaudible) the exact distances and angles are shown that make the particular parcel that you own unique. You own everything on it described within that deed and survey. There are roughly 310 parcels ranging from narrow to humongous fronting on Long Island Sound which is about 12 and half miles in all. They have a common northern boundary. That common northern boundary that is mentioned in every deed is the mean high water mark. Both the western and eastern lengths of each parcel have a precise measurement in feet and inches from monument that is set in the ground to the mean high water mark. So the mean high water mark is not the something the owner draws on the beach and says, everything below the mean high water mark according to federal, state and local laws, open to the public. And everything above the mean high water mark included in the sandy beaches is mine. But that's the way law reads. But just where is the mean high water mark? Is it after a hurricane comes through, where it touches the foot of the bluffs? Is it when you have the high tides in the Summer or in Fall? No? I can't tell you where it is. You can't tell me. Nobody else can but the federal government can because in a case in 1935; U.S. Surrogate Court of Appeals it was determined that the high tide water mark is an average reading taken discounting all Spring and Fall tides and all storms and taken over a period of 18.6 years. I'm not going to live that long to see it but somewhere there is a mean high water mark. That mean high water mark is always below the seaweed because the seaweed is washed ashore by the water. The town has an ordinance that allows owners of four wheel drive vehicles to obtain permits to ride below the mean high water mark. Over 420 permits have been issued to date. But in fact, nobody rides below the mean high water mark because it's too dangerous to ride at that angle. There are rocks there. The sand is mushy and it's under water for hours on end and there are loose stones at the top where the debris is washed up. So for safety and comfort sake, everybody rides above the mean high water mark on flat firmly packed sand beach that happens to be the private property of the person who owns that parcel and every other parcel fronting on Long Island Sound. No law or ordinance is effective if it is not obeyed and is not enforced. I'm saying, let's get rid of the current law and make it illegal for any one, two, three or four wheeled motor vehicle except emergency vehicles from operating or standing on the beach which invariably is trespassing on private property. Both the towns of Brookhaven and Southold have ban motor vehicles from their Sound front beaches. Brookhaven had a public hearing during a violent snow storm in December of '83 and enacted the ban as public law #1 during January of '84. They adopted the ban because they could not enforce the ordinances on the book and they had a motor vehicle premises for the same that the Town of Riverhead did.

And the opposition for banning that was formidable. The United Mobile Sports Fishermen, the Long Island Beach Buggy Association, the New York Sport Fishing Federation that claims a membership of 35,000 members, the Suffolk Alliance of Sportsmen and the Patchogue Fishing Club. Beaches are for people, not motor vehicles. Ban all motor vehicles from all Riverhead North Shore beaches. The ban is not directed at fishermen. It is not directed at bathers. It is not directed at people who walk or stroll on the beaches. It is directed at motor vehicles. It is not directed at launching or retrieving boats. That continues."

Supervisor Janoski, "Mr. Roberts, you are pushing your five minutes. Please conclude."

Bill Robert, "That's not fair Joe. I said other people will be talking also but they will not be talking for five minutes. Will you poll the Board as you said you would to see if I can continue to a conclusion?"

Supervisor Janoski, "The rules are established Bill. Bill conclude. This is number one. Please do not call out and interrupt the speaker."

Bill Roberts, "All right. Each one of you took an oath when being sworn into office; I do solemnly swear I will support the constitution of the United States and the Constitution of the State of New York and I will faithfully discharge the office of. Each of these documents contain a bill of rights. And amendment five of the U.S. Constitution and six and seven of the State of New York it says; no person shall be deprived of life, liberty or property without due process of law. Nor shall private property be taken for public use without just compensation. I will continue that at the end."

Supervisor Janoski, "Thank you. Chris. All right. Now I'm going to ask you to close that door. What is he saying. Come into the room. Just a minute Chris. Wait until we get everybody in here. Any more people out there? All right. I do have and I should let you know, a request that we adjourn the meeting to a later date at the High School auditorium. I'd love to. Chris."

Chris Czork, Riverhead, "I do ride on the beach. I have a four wheel drive vehicle. Now, I am complying to the laws which you have now of no riding on the beach between the hours of 8 a.m. and 6 p.m. I do enjoy taking the ride after those hours of watching the sun go down. And the people that do ride on the beaches, we confine by a very simple thing. We go at a very moderate speed. We keep a very simple track. We do not.... If we do see someone on the beach, we do slow down for them and we give them the grace of walking or whatever. Now, what the gentleman was saying previously about going over property lines. Well, if we have been doing that, why haven't there been any complaints filed? Do you know of any complaints being filed on trespassing upon their property?"

Supervisor Janoski, "We're not here to answer any questions. You make your case."

Chris Czork, "Well, he brought up the subject. I'm just asking the question. Does he know if there was. And if there has been, can we please see those complaints. We do not, in any way, mean to violate someone's personal property. And he is right about the part if you drive below the line, it is very loose and you can get stuck there. That's why we ride the higher side for the very simple reason that the track is already there and has been there for years and years. Why all of a sudden is this coming up? Why take something that we've been doing for many years away from us just because maybe you don't have a four wheel vehicle or maybe you don't know how to use it. Why take it away from the people who do know how to use it and do the right thing in spite of other people. Why take that privilege away from us? I don't think that's fair and right or correct in any very simple way at all. Because the people who do use them, have the knowledge of using them and respect the other people's rights. That's about all I have to say."

Supervisor Janoski, "Thank you. Yes ma'am."

Trudy Blasius, Edwards Avenue, "I do own beach front property. I'd like to know how many people here are against the restriction of vehicles own ocean front property. I'm sure there are very few. That's number one. Number two; usually the people who come at night, in accordance with the law as it now stands, are well behaved. Occasionally you will get somebody who sets fires on the beach, leaving broken beer bottles and wine bottles on the beach which is a hazard to us. And that's why I'd like to see the restriction of vehicles on the beach. That's number two. Number three; I've seen several instances. My son was one of them. Lying on the beach in the middle of the afternoon, a four wheel drive vehicle came along and almost ran him over and other people as well. Number four; we're right near the Camp Baiting Hollow where the Boy Scouts come from. I've seen the beach buggies in the middle of the day go through the camp grounds, up on the sand dunes which causes erosion of the property and that's all I have to say."

Supervisor Janoski, "Thank you."

Mitchell Skrypecki, Riverhead, "I've lived in Riverhead for all of my 47 years. As a young boy I'd always spend many hours at the Sound. As a man, I've continued to avail myself to the bounty and pleasure of our beautiful Sound. I've been a scuba diver for many years. In conjunction with that pursuit, I have a four wheel drive jeep. For a number of years, my girlfriend and myself have used the beach to get to favorable dive spots along the Sound. And many times in the afternoons, just to soak up some sun in quite spots east of Roanoke Landing like the others do. But that's all over now at least from 9 a.m. to 6 in the evening. And now some would even take the four wheel drive

privilege away from us at any time of day or night for ever more. How sad is it that few wish to substantially the quality of life as well as that of many of our friends and neighbors. In my adult life, I have viewed the role of local government as not only a policy making board but also as a concerned group which is charged with the responsibility of enhancing the quality of life of as many people as possible. Recreation is a major part of that enhancement. I ask that this governing board do more than spurn this attempt to stop four wheel drive activity from our 17 1/2 miles of Sound front. I ask that you allow us to responsibly use our Sound front during hours when we can more fully enjoy its beauty and bounty. That is during the heat of the day. I understand that walk on bathers need insurance of safety. But we must also realize that walk on bathers regularly use less than one mile of the 17 1/2 miles of our Sound front. Most of the rest of it is abutted by "Cliff Dwellers" who rarely use the beach. I recommend that access lanes be created to allow four wheel drive vehicles to enter the Sound beach without endangering bathers at several places. At Hulse Landing Road and going east along the beach. At Edwards Avenue in Baiting Hollow going both east and west. You know citizens in Wading River have erected a chain link fence stretching nearly to the mid tide mark which along with man made land jetties, which I understand are illegal, effectively block four wheel drive vehicles. And that from Edwards Avenue, homeowners through the years have created land jetties once again, they're illegal as far as I know, to block such passage. This year they've added tree trucks and a telephone pole. I tried to dive the Oak Hills area as I have for many years now just three weeks ago. I went at 6 a.m. trying to comply with the newly emphasized law. It was low tide yet I couldn't proceed more than 50 yards because of the telephone pole, tree trucks and illegal land jetties. I merely sat there in frustration. How dare these people, the people responsible for this, diminish my quality of life. I secondly request that all land jetties be removed. They are illegal. Now, concerning the Roanoke Landing area, there is an easy solution. A road has existed along the base of the cliff for many many years since I can remember as a kid. Clearly, this road causes no erosion. Allow it to be continued for four wheel drive vehicles for all daylight hours. There is ample room for the handful of bathers that use the first 50 yards going east and the area that the folks wish to use the area of four wheel drives to fish, dive and sun. There's also one other access to this area that should be readily available to all of us. I refer to Penny's Road. For those of you who don't know about Pennys Road; if you were to go down Northville Turnpike to Sound Avenue, make a right and a quick left. That's Pennys Road. It goes up to Sound Shore Road which goes to the Northville properties. Pennys Road, you see, does not terminate at Sound Shore Road but it continues or it use to continue right to the beach. That's how the deed is worded. It's that old. Right to the water, not even the high water mark. Unfortunately Mr. Robert Krudop and family have seen fit to assume ownership of said road and reroute the upper part so it doesn't look like a road continuation. I have checked the tax

maps as well as the records and maps in the Town Clerk's office several times. I did this along with the secretary from the Town Attorney's office. This is indeed a road right to the water. No one has the legal right to assume ownership of private property based upon their continually use of said property. I request that this public road be restored to public usage as it legally should be. It's an obvious a four wheel drive entry to the Roanoke Landing area which disturbs no bathers. If some people have abused four wheel drive use along the Sound, then we need better policing. Not further restrictions against all four wheel drivers. If you see someone speeding down East Main Street, you shut the street to vehicular traffic. As a high school and college educator for some 26 years, I've recognized this as the entire teaching profession, that you don't penalize the entire class for the actions of a handful of vendors. In conclusion, I ask that you honor the responsibility of which you've been charged. Restore my quality of life, allow me to enjoy those important moments along the Sound to which I've become accustomed and to which I'm entitled and allow my neighbors to treasure some of those activities which make life worth living. We should be a people capable of sharing rather than individuals bent on self interest."

Don Duga, Reeves Park, "I am a landowner on Crows Nest Drive. I'm a cliff dweller that that man's talking about and I do use the beach. I do think that a lot of the four wheel drives are responsible and I find that there are some that are not responsible but I want to talk just in general that any vehicle on the beach is doing damage. I walk the beach every morning and I see the destruction of the bird nests that are destroyed. I see the seagrass that is run down. So even the responsible drivers are destroying that area. And if you take a look and I can document this and it has been documented about the destruction of the beaches. About the four wheel drivers, I myself have been a victim of irresponsible drivers. I myself was almost run over by a driver who, if I didn't roll out of the way, would have run over me. I don't want to talk about that issue. I think there's a greater issue. I think that something needs to be done. I think that yes, some vehicles need to be on the beach. You do have to have emergency vehicles on the beach and there should be something to do.... Maybe there's some kind of regulation that you could have with people who do have to take their boats there. You do have to have access to that. But people that just go down there for joy riding, for parties. How many times have I had a line of trucks parked in front and they could have walked there from the public beach. I'm not that far down from the public beach. They park on the beach and they have a great beach party. Well, this is great. I see the ads. I see how great it is to ride on the beach but I think that we ought to reconsider and take a look at; is there another alternative. Is there a way that we can also have access to these beaches without having vehicles down there. Or maybe there should be a kind of restriction on some of it. I don't know what needs to be done but something has to be done because it is destroying the

beaches. And even the responsible drivers are destroying the beaches. Thank you."

Supervisor Janoski, "Thank you."

Al Jeski, Reeves Park, "I've been here about 28 years now. I've always drove the beach. That's the only enjoyment we've had. Now our taxes go up and all of sudden these privilege is taken away. Why is this being brought up now after 28 years. It's been alleged that there's been drunken drivers down there. Have they've got a breath analyzer to back up this statement that people are driving down there drunk? As far as getting run over; people get run over out in the street. Why not bar the people off the highway that real cars run? I can't understand why all of a sudden we're taking the only enjoyment we have taken away from us. Or having it tried to be taken away from us. Some people own some land down there and object to us being down there. They don't like it, let them sell their land and move somewhere else."

Supervisor Janoski, "I'm saving you for last. Let's try to balance this off here. I don't think there's anybody left. Henry."

Henry Pfeiffer, Wading River, "I was going to keep my mouth shut. I was going to seize on this wonderful opportunity to keep my mouth shut but I've listened to some of the remarks made here and I can't help but express a rejoinder or two. Number one, we know and I think it's been cited by Mr. Roberts, that there is a federal law in the Constitution which gives a right to the people the enjoyment to their own property. We have, and I see before us, three attorneys who are sworn to protect the law as is each member of the Board. In the fifth amendment of the Constitution Mr. Roberts cited that protects the property against improper seizure. In subsidiary legislation in the state and on down the line, again, each property owner is entitled to the quite enjoyment of his property. Remarks were made about the legality of placing barriers running from the southern most portion of a person's property down to the mean high water mark and the difficulties these people had in violating the law to traverse the property of individuals. Now, I do not believe that any privileges at all should be taken away from the general population. There is not preclusion at all, no prohibition at all from the enjoyment of bathing, fishing, basking in the sun. All those things, anything for that matter, all those things which are the proper jurisdiction and place to have them is the beach. We have private property which should be held secure unless the individual permits the use of it. We have public property, the beaches, provided by the town as a result of our taxes. These are invariable accessible from the parking lots provided by the state. So those who wish to fish, go down and enjoy the sunrise and the sunset and all this sort of thing, are not precluded from using this and enjoying these particular things. Some little while ago, I think a year or two ago, we

enacted some kind of legislation which prohibited the use of three wheel vehicles that people such as these Boy Scouts or that age, would properly be using or probably be using. We prohibited the use of those on the beaches because of the fact that they were harming or had the potential of harming the dunes, the shrubbery down there, whatever. Actually they were violating against private property and were properly prohibited from doing this. I do not believe that this Town Board has the legal authority to tell anybody who owns private property that the general public can use this in general. I think that the Town Board has the right to say that this public beach that we pay taxes for which are held in common are for the use of the public and these people are entitled to it. I see no need for the use of vehicles on the beach for any purpose except perhaps for having a picnic down there and you need to carry benches, tables or whatever other gear down there. I think this should then be a result of a call to the Police Department to get their permission. But for the balance of this thing, I think that the beaches should be held sacrosanct for the use of the common people. Now, I can not see that anybody by using below the mean water line at any time and leaving their vehicle down there for eight, nine hours, if they were within the law and parked down there. Because if you stood down there while the waves come in, you'll find yourself sinking down. I do not believe that any of these vehicles parked legally. I do not believe that they are legal in their use. Thank you."

Supervisor Janoski, "That piece of paper right there. Yes."

George Grosselfinger, Wading River, "I've been on Long Island for 40 years and I've seen Long Island Sound change from herds of porpoises to boards of plastic. And the average individual doesn't seem to do too much on the beach as far as this demise. However, there are some groups that seem to have an effect. One, fortunately, I heard about called the East End Surf Club and it's a fishing group and yet they go down there every year and have days where they actually clean all that stretch of beach where we're talking about. Now, these are fishermen. Why are they so interested in keeping the beaches clean? Probably because they're interested in keeping that area productive for fishing and also clean for their enjoyment and aesthetic values that they appreciate. Now this is not the average individual when we talk about someone that goes out of their way to protect this area that we're referring to. Also, in this day and age where people have no other types of entertainment then to end up in the drug rehabilitation centers. Here we have an opportunity where adults can take their children down to the beach, get them involved in something that is naturally enjoyable such as fishing and the environment and ecologically awareness. And here we're trying to prevent this from happening. And in this day and age with the drug problems that we have, gives an opportunity for children to actually get involved in protecting the environment and the planet that we live on which should be upper most in our

minds today with what's happening. I'm taking a different viewpoint than what most people have spoken because I think it's aesthetically a value that we should appreciate. This goes beyond just using the beach. This goes into educating our children and the next generation to care about the planet that we live on. The fishermen have that much interest in taking care of this part of the planet in Riverhead where we live. Then I think we should listen to what they're asking for because they're trying to do something about it rather than talking about it. Thank you."

Herb Hernstoff, Wading River, "I'm a property owner. I'm a cliff dweller. I also have a four wheel drive. I've lived there for 25 years. I've driven the beach for 25 years. I maintain a bulkhead. I have electric, water, a phone and picnic facilities on that beach that can not be maintained by carrying tools and bolts and everything down by hand. No way. It destroys my way of life if I can't service this area by truck. I don't use the truck too often. Maybe five times a year. I admit that there are horrendous things that go on. The Fourth of July was unbelievable. I have stopped hundreds of people who drive on that beach off hours. Not one of them have a beach permit. Not one of them should be there. I ask; some kind of compromise. Again a property owner and a beach buggy owner. If you could chain the beach so that no one can get down there, it would be very simple for the lifeguard to come on duty at nine in the morning and put a chain across that road. Then no one would come down. When he leaves at night, unchain it and let people on at 6 o'clock. All right. Then you have the best of both worlds. Anybody who upsets that beach, if you just enforce the laws that you have, I think we'd be okay."

Supervisor Janoski, "Way in the back. Paul. I'll get you next Paul."

Rob Gammon, Laurel, "I reside at 70 Woodside Lane in Laurel. However, I pay what I consider more than my fair share of taxes in Riverhead. I've been listening this evening and think that both sides have some credence to their arguments. However, people talked about the Constitution of the United States. Well, I happen to know quite a bit about the Constitution of the United States and no where in the Constitution of the United States does it say anything about disaster age in the form as we have witnessed over at Moriches Inlet. Now, that means that everybody is an equal participant in helping their fellow man what is sacred to them and what is their property and that includes all of the beach buggy owners as well as the cliff dwellers. And I agree with the gentleman that just preceded me. We need a compromise. There's no question about it. And I feel that if enforcement is better enacted, that that will resolve the problem. Nobody in this world gets everything they want. Everybody has got to compromise and that includes the cliff dwellers and I think the Beach Buggy Association and the East End Surf Club which I've been a member of for more years

than I care to admit, has done their part. And I think we have backed off. I think that we have basically adhered to the laws. And I think that in many instances, we not only adhered to them but personally having witnessed on occasion when we have seen people that have been out of order and we felt were being detrimental to the facility which we all love and have inflicted the East End Surf Club law. So I think..... I'd rather not say because I don't want to incriminate anyone. On the other hand, I really think that we have compromised to the point that we've adhered to the new law which prohibits us from utilizing the beach during the day. Now, I implore you, please do not take away the opportunity for us to utilize the beach at night. Because at night, to begin with, I don't think that the problem that a couple of these people have posed here with respect to people being run over, exists as much. Because I know that all of the beach buggy owners, when they go down there are very careful. And as far as being detrimental to the beach, I don't buy that for one moment for one simple reason. Anybody, including everybody that has been in this area for any length of time, all you have to do, whether you're on beach buggy or foot, is go down to any of these areas that have been discussed this evening, after a northeast storm. That raises more havoc and more damage than I have ever seen done with a beach buggy. I rest my case."

Supervisor Janoski, "There you are. Yes."

Paul Baker, Wildwood Hills, "Our world has learned some hard lessons over the past few years about the limited resources of our earth. Unless we deal with the fragileness of such resources, we risk dire outcomes. The beaches of Riverhead are great resources. Not only do they provide many recreational opportunities but they represent a real contribution to our economy. Failure to manage our beaches has led to many economic problems that will cost us dearly to remedy. Pollution has caused many vacationers to seek other areas. We have petitioned the Town Board for many years to exercise some responsible legislation to protect this resource. We continue to believe this resource must be safeguarded. Does police protection cost too much money? Can we only afford one vehicle to patrol our beaches? Why is it that everyone has the right to use the beach but without firm guidelines, only those that live here get to pay for the damages? We believe that it is time for this town to stop talking about all the great things that should be done. It is time to have the courage of our convictions. It is time to help those who are paying for the maintenance of those beaches that everyone loves to use. Limit the destruction of these resources by outlawing vehicle access as so many other Long Island towns have had the wisdom to. Pass legislation for all town beaches and effect the protection necessary to enforce those laws. And just a comment if I might add; a lot of the people coming up have been asking why is it 20 years ago we didn't have need for these types of discussions in public for neighbors to discuss points of view. And what's been happening, I think that

all of us can attest to over the past 20 years is that the population of Riverhead has been increasing and that our resources are becoming severely taxed both economically and people wise and that has led us to this particular point I think where we do need the town to take the type of leadership that many of the people here are asking for this evening. Whether it is increased police protection, whether it is the purchase of land or increased recreational facilities. Those types of questions are questions that have a broader arena of land use in this town. And I think that this is one small example of what our failure to address planning and the needs of a population have led us to. So please look beyond this year this evening to the broader issues facing Riverhead as far as planning, as far as land use, as far as recreational facilities that we all pay our taxes for. Thank you very much."

Supervisor Janoski, "The gentleman with the tan shirt. You've been trying to get recognized for a while."

Bill Henenlotter, Riverhead, "I'm the caretaker at the Nassau 4-H Camp on Sound Avenue. I think the biggest problem here is enforcement. We have many youngsters that use our beaches at night for sleep outs and so on. We do not have the problem with those that are duly licensed to go down on the beaches. It's not a problem that's just arrived. We've had problems for many years with people that are unlicensed not only with four wheels but three wheelers, etc. I think by not allowing fishermen to come after hours is wrong. I think we need enforcement on the laws that are already on the books. There's many times when the Police Department or anybody else that we notify, they're busy. They've got other accidents and so on. It's up to the individuals who live along there, if there are problems, to get license plate numbers, turn them in and so on. And if it continues with the same vehicles, I'm sure something can be done. But again I say, it's mainly enforcement with the laws that are on the books. Every time we add another law on the books, it hurts many many people. Again I say, enforce the laws that are already there."

Supervisor Janoski, "Thank you. The gentleman with the yellow pad. Bill, I'll get you next."

Glenn Just, "Good evening. I'm the President of the East End Surf Fishing Club. Just to give you a little background on our club, it's the oldest established surf fishing club in the United States. The club began 60 years ago at the Judge Belford Hotel and we still continue to meet here in Riverhead once a month. Our organization has a membership of approximately 245 members that come from every walk in life from here in our town. They are year around residents, taxpayers in the Town of Riverhead. We're the people that deliver your mail, repair your car when it breaks down, we pump gas, as farmers, we grow your food, as baymen, we harvest your fin fish and shellfish. We serve the food at the local restaurants. We're retirees who

continue to work for the betterment of our town. We're civil servants who clean your streets and repair potholes. We're policemen. We're volunteer firemen and we're fishermen. What we want now is to please have the Town Board have second thoughts about passing any more restrictions that we feel will really cut into our fishing the way it is now. We already have to go through and get permits. We have to be a licensed driver with a registered motor vehicle and we have to insurance on that motor vehicle. We abide by the hours that are set forth in the town ordinances. We leave the beaches in time. We only go down there when we're supposed to. Every year we sponsor clean up at the beaches in the Spring not just for us. It's for the bathers as well. We sponsor Little League teams at the Aquebogue School playground and many other functions here in town. And we just want to let you know that we're in November at election time and we're here year around and we don't need any more restrictions on us."

Bill Talmage, Sound Avenue, "I'm here representing my family tonight and we own one of the largest parcels effected by this proposal. We've owned it for over 100 years. I just want to say that my family refused to sign the petition Mr. Roberts was bringing around. People have been riding on the beaches north of Riverhead since as early as the 1930's when they first put balloon tires on the model A Fords and found it could go on the beach. Anybody who is a Winter resident and has been down on the beach in the big storms and have seen the icebergs crashing up on the beach, realizes that if a Chevy Blazer drove below where that iceberg is crashing on the beach, it is of no consequence. The argument is being made that fishermen don't need four wheel drives. Anyone who says that may not fish very much or maybe is not successful at it. These are not trout you throw in a little creel on your waste. A friend of mine caught a 54 foot striped bass a few years ago and carried it for miles. I happen to go scuba diving and scuba gear can weigh 200 pounds. I think what we really need to do is enforce the laws that we have. The atvs have done a tremendous amount of damage in the last 10 years. It may be waining slightly. And the people who are ripping around there with trucks down there in the daytime and tearing through the beach grass, they're breaking the laws already. Passing another law isn't going to make a difference to them. I've been troubled by why are we after the fishermen so much and there's been a lot of discussion about that this week. And there's a lot of people that don't understand why is this targeted at the fishermen. Is this thing really environmentally motivated or is it motivated by a class snobbishness who don't want people fishing in front of their houses or possibly even a racial motivation to it which I really hope isn't the case. But it disturbs me greatly. I think the people who are fishing haven't really been a problem over the years. They drive slowly on the beach. There are people that are camping out down there, having parties and I would like to see more enforcement in that regard and I would like to see the atvs curbed because they are running up and down the bluffs and through the beach grass. I

think it has to be stressed that it should be illegal to drive within the vegetation. But below where the winter storms are ripping everything up, I really don't think that we're arguing over a big point here. Thank you."

Matthew Weinhardt, Riverhead, "I've used the beaches for many many years and I've also used the beaches on the Southside. I was born and raised in Southampton. What they have recently passed in Southampton I think would help you. Everybody seems to be talking enforcement, enforcement. They have taken a handful of the local fishermen that ride the beach constantly, that are there constantly and made them beach wardens. They have the power to write down names, description of the vehicle. The police in Southampton monitor channel nine on the CB. We can get a hold of them. We can get things done. We can take care of ourselves on the beach as fishermen and as people that ride the beach. We don't need to be banned because of a handful of people. We maintain the beaches in Southampton. They won the fight in Southampton against the landowners because of the beach wardens. It helps. It keeps the trouble, the people that are causing the trouble, off the beach or in check where the police will know about it and then they can do something. If you have a license plate number, you can do something. It's just like if he out runs you on the street. If you have a license plate number, you go to his house. You don't just let him go because he got away. Now, the way I see it and I'm sure there's 100 volunteers here right now who will take the job as beach warden. I am not afraid to stand up for my rights on the beach. I would love to be a beach warden. I will turn anybody in in a minute. I don't want to lose my beach. I was born and raised here. I fish those beaches constantly. I go down there at night to have dinner with my wife, sit around and it's stuff to walk three miles down the beach carrying a barbecue, bag of coals, cooler, the whole bit. Have you've ever tried to do it? Try it and then you'll see the difference. And I leave that beach cleaner than when I get there. That beach is usually a mess. People walk down on the beach with their coolers, the leave their garbage there because it's too much of a pain to carry it back. And the guys that are riding the beach are the ones that are picking it up and carrying it away."

Fran Davis, Riverhead, "All of a sudden I hear ruining our nests, ruining our beach. But I've been at Baiting Hollow and seen these cliff dwellers go down with their four wheel drive, a little trailer and off goes the beach to their house. Is that right? We're ruining the beach? Think about it. I'm in favor of riding the beach. Thank you."

George Dalecki, Wading River, "I couldn't stand here and go on and on like many others before me and many more to come about giving you valid reasons as to why we should keep the beaches open to drivers. But instead I'm going to speak on behalf of my three little girls who, except for an occasional trip to Disney Land and a cotton candy at the Polish Fair this weekend, like

nothing better than to stand next to their father at sunset and haul in an occasional bluefish."

Peggy O'Kane, Oakwood on the Sound, "I'm a chairholder on Oakwood on the Sound which was started in the mid '30's as Mueller's Camp. We're not newcomers and I'm really disturbed to hear insinuations that this is some kind of class situation. There are 101 families in Oakwood that range from retired people to telephone linemen to college professors to all kind of manual workers and also professional workers. None of us is rich or wealthy. We have all had our share of pain before the summer vacation is over, contributions at the church. We are contributors to the economy of this area and we have been for a long time. What many people may not realize is that we maintain that beach there. It is 400 feet of beach which if you give four people to a family in Oakwood, it is about a foot of beach per person. We maintain it, we rake it. If we want to do anything at all to it which includes bringing in sand, we have to go and get D.E.C. permits. If we want to smooth it out, we can go two inches with a D.E.C. permit. Every consultant and expert that we have talked to has told us that it is crucial not to break the crust of the beach. Granted, a northeast storm will bring in sand a northwest storm will take out sand. But on the North Shore, beaches are replenished by erosion from the land. And if we protect our land, we have no beach. Therefore, we pay for the sand that these people are driving over. You may think it's ludicrous but we can show you the bills for the sand, for the rock that we had to get a special permit for and pay \$300 to buy, for the liability insurance that requires us to erect the fence and make a sign disclaiming liability; bath at your own risk. We're not against responsible four wheel drivers. But everyone of them has come up here and said he can not drive below high tide where he's supposed to drive. And he's disturbing what we have paid to maintain and we are not a bunch of plutocrats with \$250,000 condominiums. We have real old shacks and cabins and we have been contributors to this area for well over 50 years and it's unfair to categorize us as some kind of plutocrats who are against the common people. Thank you."

Tom Block, Riverhead, "I am an representative of the Riverhead Bayman's Association and I'd like to read this letter that we have on record from the Riverhead Bayman's Association that our president, who could not come today, submitted. The members of the Riverhead Bayman's Association take exception to the proposed ordinance that will prohibit four wheel drive vehicles from using Riverhead Town beaches. For years our members have used their vehicles in all areas of the town beaches to pursue various recreational activities such as swimming, boating and fishing. Should this ordinance become law, recreational areas which can be used for this type of vehicle will be severely limited. Not only will our members feel an impact to their recreational needs but so will the resident of the town who also use these beaches. As you know, our organization is actively engaged in various shellfishing

transplant programs. Now besides fishing, I'll show you what the rewards are. (displays a bag of clams) Anybody go out to the diner or out to eat, clams on the halfshell, I'd like to use as an exhibit and I'd like to give this to the Town Board members."

Supervisor Janoski, "Only if it's not part of the official record and we don't have to keep them in Irene's Office. We can eat them."

Tom Block, "Give me my cooler back though. There are certain stages of these programs are vehicles are required on the beaches to assist us in maintaining them. Would our vehicles be allowed on the beaches to maintain the shellfish seed transplant programs? We're in contact with other organizations and individuals who use four wheel drive vehicles for recreational purposes. Their opinions remain the same as ours. The beaches should remain open to our vehicles. We therefore, strongly request you and other members of the Town Board to continue to allow us access to our beaches. As mentioned before, recreational facilities of this type would be severely limited should this ordinance pass."

Supervisor Janoski, "Thank you Tom. We're just going to stop for a moment. I think we've tired out the Boy Scouts. I would be very interested, when you guys discuss this, what conclusion the boys come to if you can let us know. So we'll just give the Boy Scouts a moment to exit. Thank you. Well, we're going to take this opportunity to call a recess. We're going to have a recess in the hearing until ten minutes past the hour of nine and we will reopen the hearing."

7:55 PUBLIC HEARING RECESSED AT 8:55

7:55 PUBLIC HEARING RECONVENED AT 9:15

Supervisor Janoski, "I will call the meeting back to order. Sergeant, would advise the folks in the hall that we've called the hearing back to order. Okay. Who's next? Yes sir."

John Fritz, Babylon, "I'm the Chairman for the New York Sport Fishing Federation and I'm on the Board of Directors of the Beach Buggy Association. For some, the reasons for banning bonafide, and I repeat bonafide, mobile surf fishermen from pursuing their sport are legion. Some of these reasons are legitimate and must be addressed. No responsible surf fishermen would deliberately harm the beach environment or deny an endangered species the ability to procreate. Such issues are used to deny access to the fishermen when there is little to no basis in fact. These officials are alienating a segment of society who has on numerous occasion, proven their concern for the beach environment. When surf fishermen are forced from the scene, it leaves the area open to all who would ravish the shore for whatever reason. There are machines on the market today which can run rampid on any terrain imaginable. The police are not equipped or inclined to patrol shorelines when more serious

crime prevails inland. Vehicle ban removes a major stabilizing influence in an area where little control exists. Surf fishing organizations, for many years, pleaded with various officials to enforce the present rules governing vehicle access and use of the shorefront. If the waterfront homeowners believe that enactment of a vehicle ban will prevent atvs, dirt bikes, bonfires and drug and liquor parties from taking place, they're sadly mistaken. Before enacting such a ban, it would be wise to check with the agencies further west and see how they fared after driving mobile sport fishermen from their beaches. The beaches of Long Island are one of their major assets. It should be enjoyed by all and respect the environment and the others who use the shore. I would just like to add that if the town or any property owners association have a need of assistance on beach projects, feel free to contact the Long Island Beach Buggy Association. We'd be more than happy to come out and lend assistance. Thank you."

Supervisor Janoski, "I see a hand way in the back there. Yes, you sir."

Joe Hall, Riverhead, "If I was six inches taller I would have no problem."

Supervisor Janoski, "Let the record show that Joe Hall is on his way up here."

Joe Hall, "I'll get you for that."

Supervisor Janoski, "I didn't know who the hand was attached to Joe. I'm sorry."

Joe Hall, "Well, I'll have to grow six inches that's all. I've been a surf fishermen for 64 years and I've lived in Riverhead all my life. The thing that we want to consider; this area, the eastern end of Suffolk County is a four million dollar economy and it's very much dedicated to the crazy fishermen that buy everything in sight whether it's any good or not. I think they can vouch for that. I think the thing we have to consider is the economy for one thing and the fact that the violators of these beaches have to be stopped and it's up to the Town Board to figure out a way to do it. If we get rid of those violators with the three wheelers and the rails, put them out of business, I think we've got it made. And I'm in favor of keeping the beaches open. Thank you."

Mason Hass, Jamesport, "I moved into the Town of Riverhead approximately three years ago. Prior to that I grew up in Westhampton. Westhampton has a big problem over there where the same thing, access to the beach has been denied to fishermen and stuff like that. This has been going on for years and years and little by little beaches are getting closed down. Riverhead, one of the nicest things about it; you come here and it's a family town. Years and years I meet families for years that have been here. Westhampton no longer has that. I'd like to see Riverhead

keep that. One of things, like I say, is the beach. You have it here. You don't have it in Westhampton. Yet in Westhampton when their beaches disappeared, they're screaming for the state and the county to replace those beaches. It's coming out of the taxpayers dollars. Is this going to happen also later on down the line if they lose their beaches here? Are they going to come to the state and county and say; help us rebuild our beaches. Now, Riverhead, for the Sound fishermen; you have an access by boat and it has to be a small boat. Sixteen foot or less at Iron Pier and at Wading River. You can't really launch anything bigger at those places. So then you're stuck with the shore. If you restrict us to just the beaches, you're going have 300 fishermen standing shoulder to shoulder trying to fish and it's just not possible. The fishermen are not doing the destruction that people are saying. We do try to do the beaches as we go along. When we do go down we take back what's ours or more. The stuff that's floating up on the beaches we're picking up. We see that. The people talk about the debris being left behind. They have to pick it up every morning because it washes in with the tides. And this high tide mark; it changes all the time. The survey this gentleman showed before; that changes from time to time to when the surveyors go out and do the property. It depends on where that water mark is at the time when they do it. I'm in the title business and I see it constantly. Nobody insures down believe the tide mark. And once again, it comes down to the question of where the high tide mark is. Glen Cove is right now, the Surf Fishing Club of Glen Cove, is in court in the State of New York with the local people there because of this same thing. It's up to the State Supreme Court and they're going further and further. The battle is continuing on. It's a waste to take it away. You have families that have been doing it for years. Kids going down, passing it and picking it up going fishing and then to lose all this area. It's just not right. I'd like to see Riverhead turn this down and keep the beaches open."

Jim Kreutz, Reeves Park, "I spent over \$40,000 just in equipment to fish on this beach and you know that. I spent over \$1,500 just in plugs in lures just to go fishing on the beach. And one thing I want to say, when the town organized the beach cleanup, I didn't see nobody from the cliff come down there. Needless to say, I did not see Mr. Roberts there. Did I see him? I did not see you there either. But we was there and we did our job didn't we? We cleaned the beach up. Six months we went through this same thing ago. Now how many more meetings are we going to take now to resolve this? Another four or five meetings? What is the problem? We offered you all the help and assistance you wanted. You want beach patrols? You want fishermen to pay for the permits to go to the beach? We offered you money. You raised taxes to raise your pay. You raised taxes to get a Bay Constable. Raise the taxes to put somebody on the Sound to keep it clean. I'll take the job. I'm strictly opposed to this amendment. And believe me, I will do everything in my power and I will be at every next meeting until we resolve it

just to let you know that I am here and that I care. And you got how many people here tonight that care? Amen brother."

Al Lane, Riverhead, "I live up on Sound Shore Road on the Sound and I'm in total agreement with the existing ordinance as it is written and against the total banning of vehicles. It's one of the few recreational facilities we have left in Riverhead and I don't think it should be taken away from the fishermen. We've never had any problem in that area. I view this as strictly an enforcement policy and not a legislated ordinance. Thank you."

Supervisor Janoski, "The gentleman sitting down there."

Leo Sikowski, Riverhead, "I've lived in this town for over 75 years. When I was a youngster my father use to take me fishing and when we grew up, we went by ourselves. I finally got married and had children and I use to take them fishing. I use to take them to all the beaches fishing. Well, when they grow up, they got children. Now I take my grandchildren fishing. I use to take my wife to the beach. She was pretty sick and now she's gone. Now I'm by myself and I don't want that right taken away from me. But what I want to say is; I go fishing twice a day almost every day. I ride the beaches. I see where all the garbage is and where the cleanest spot. I see where all the damage is done and I'd like to take any member of the Board in my vehicle and ride east and west and show them where the damage is. It's not done by the four wheelers, so somebody says. We have four wheel drive vehicles but all four wheelers can not go on the beach because they get stuck. I want to show some of the town members who does the damage. I'd like to take any one of you any day. I'm retired. I'd like to take any day with any of you members where the damage is and what's causing it. It's the so called three wheelers. I see them trying to climb the hills. They're doing the damage. Not us fishermen. I see, my partner and I, we see a vehicle come down the cliff, four youngsters come down the cliff. My heart was in my throat. It wasn't a fisherman. They're not fishermen. And another thing is; I've been in this town a long time. I say a lot of changes and most of it good and some bad. This is one of the bad ones. And I believe in live and let live but don't take my right away from fishing. Thank you."

Francis Hoffman, Wading River, "I think if we see the issue as being a conflict between the fishermen and the cliff dwellers, it's really unfortunate. I think the issue here is one of use of the beach versus abuse of the beach. And it seems everybody here is a good guy. I just want to let people know how bad it is on the beach. We can not sleep at night. We have four wheel drives with blasting radios coming onto the beach. They unload with beer kegs and have parties. They unload the trucks with five, six, eight, ten kids on a truck. When they want firewood, they tear apart bulkheading and it is very bad. So I think in defense of some of the beach property owners who are perceived as being a

leadest or whatever, I think people have to realize how really bad it is to be living on the beach or even near the beach near the access roads. So my suggestion is that the Town of Riverhead see if they are going to allow vehicles on the beach, that they seriously, seriously take concrete measures to control it. You can not allow people on the beach when you have a four wheel drive on duty on weekends. The police try. They are wonderful but they don't have the manpower, they don't have the equipment. We need concrete measures. One thought I had was checking accesses to see if people have permits. Many things like that. But I think it can't just be spoken about in the generality. You really have to come with serious concrete plans. I think if you did that and everybody interests would be resolved and there would not be a conflict as there seems to be here. And this is the job of government. And I ask you to please put your efforts towards that."

John Doscinski, Riverhead, "Members of the Town Board, people of Riverhead. I'm here just to speak on behalf of four wheel drive, fishermen and people for rights of the beach. There has been question as to whether the beaches should be open, shouldn't be open. Some of the landowners think that they should be able to out their boat in there and use it for what they need and everybody else stay off. Only emergency vehicles should be able to come down. The way I look at it, any four wheel drive vehicle that's on the beach and something happens to any individual that's on that beach, a heart attack or whatever happens; my wife is an RN at Central Suffolk Hospital. She rides with me when I'm on the beach. If someone has a heart attack next to my truck, my truck is an emergency vehicle. I will help that person. And everyone in this room that has a four wheel drive, I'm sure you will find will comply with that. That's all I have to say. Thank you."

Warren McKnight, Wading River, "I live in a section called Lewin Hills. We have access to the beach. Everybody said enforcement tonight. That's true. However, in today's world maybe we need technological assistance. I have a question here. A Suffolk County helicopter; do we have access to that through our taxpaying funds to the county? Can we use that in a coordinated effort with our police at certain times? And maybe with proper press coverage, organize some kind of surprise patrol on the beach some night and to half scare these law breakers and get the word out and different things like that. Like I said, our police do a fine job but they need the technology today. Perhaps more four wheel drive vehicles and let's look into other help as far as that goes to see if we can get the laws enforced. That's all I have to say."

Supervisor Janoski, "Thank you Warren."

Richard Freeborn, Riverhead, "I've heard many people speak about this issue tonight. The beach is a pleasure place for all residents. It's one of the last remaining recreational spots in

the town. It is also one of the main reasons tourists come to this town. Many also come to use the beaches with their four wheel drive vehicles. Instead of coming up with new regulations, enforce the ones you already have. If no one enforces the old rules, who is going to enforce the new ones. Banning will hurt many people. What happens to the handicapped person that wants to go down to the beach in their vehicle when the vehicles are banned? What do they do then? Before you you have over 1,000 signatures. If you keep the existing laws and enforce them, it's not going to hurt anybody. If it's going to be a hard decision for you, maybe you should let the majority rule. Thank you."

Gary Cobb, Riverhead, "Mr. Supervisor, members of the Board. I'm a member of the East End Surf Club and the Long Island Beach Buggy Association. We've heard a lot of discussion tonight and as the gentleman before me just mentioned, enforcing the laws that exist rather than changing them. The access currently is limited. Some of the better fishing spots that are in question are accessible only by vehicle, especially to our senior citizens. As you heard earlier, our club members are about 240 and I would estimate that 50 or so of them are senior citizens. By denying them access, the constitutional rights that we mentioned earlier tonight of the property owners may be in tact. But the constitutional rights of those people to have access to public land is not."

Dorothy O'Haire, Reeves Park, "The last time this subject was discussed, I said you people would need the wisdom of Solomon to make a decision and I am convinced that I was right. I have the signatures of 100% of the shorefront property owners at Reeves Park and they are against vehicle traffic on the beach. I am on the Board of Sound Park Heights which is a private beach used by over 250 families west of the town beach at Reeves Beach. Reeves Park has a unique situation. It's not only the most environmentally sensitive area but access is only through township owned property. Right now after that rain, our beach is destroyed. It's absolutely destroyed. Town law states that vehicles must stay below the high water mark and this is impossible at Reeves Beach because there's a huge boulder that's in the water and extends above the high water mark. Therefore, all vehicles that ride, they have to ride in the middle of the beach which is all privately owned west of the town beach. Beach permits in actuality, give township permission to travel private property and this can not be right. Over the years, the homeowners have been subject to stricter and stricter D.E.C. regulations. They can not do what they want to do on their own land and yet this township can allow usage and access to their private property to the general public. There have been too many occasions where members, members of Reeves Park sitting on our own privately owned taxed and insured beach, had to move or be run over by trucks. And these have been reported to this Board. Mr. Boschetti and Mr. Lombardi have been down to our beach and they have seen the trek marks in circles and the destructions. I mean we've been reporting this for years. I counted Sunday, a

week ago Sunday, 17 jeeps on the township owned property to the east of Reeves Park and they were parked on the sand with their front wheels up on the cliff and there were only two or three of them that had boat trailers. All the rest were people who were too lazy to walk down to the beach and carry their chairs or people who could not find a parking space in the parking lot because it was too small. People should not be permitted to destroy a beautiful natural resource because they're just too lazy to walk. I have seen pick up trucks using the beach as a stunt track. A week ago Sunday at 7 o'clock in the morning, one of the neighbors saw three trucks, four wheel vehicles side by side racing up and down the beach spitting sand (he said) 30 feet up into the air. Nobody said anything..... I have a suggestion to make. I would say only let vehicles use the beach that belong to the Surf Fishing Association because they wouldn't stand for behavior like this from their own members. The last time we had this discussion they said they would help police it. It hasn't helped. One homeowners grandson was very badly cut on a bottle that was left by a trespasser who used and abused her private property. I called the Recreation Department and I was told that 420 permits were issued as of a week ago yesterday and that there was no charge for a permit. So our tax money pays for the implementation of this policy which costs us money to rectify. Since vehicles have been banned from other localities, suppose all 420 decided to come down to Reeves Beach and drive to Edwards Avenue or Wading River? It's not fair. It's trespassing. I can't drive on their front lawn. I'm not allowed. And I feel that the township should rethink this policy. I would like to suggest further research into the legal consequences of this policy and that the decision be put off until after the elections to take some of the pressure off your decision. Thank you."

Joan Sturschner, Oakwood on the Sound, "I'm the President of Oakwood on the Sound. I addressed the Town Board two years ago. At that time, I was asking you not to allow vehicles on the beach. One of the things was the danger. People laugh about the danger. However, there was a young man killed on the Hulse Beach just over two years ago. Another thing is erosion. I'm sure that you're all aware that we've put a great amount of money into beach savers, attending workshops, into trying to maintain our beach. I've stood here and I've listened to all the fishermen's comments and I've been interested because my husband was a surf fisherman and I agree with the surf fishermen. I also agree with the lady that preceded me because we have circles on our beach. We are not saying necessarily that they are put there by surf fishermen but they are put there by four wheel drive or three wheel drive vehicles. And that's the question that we have to address. I don't like the idea that seems to be prevalent here that it is homeowners versus fishermen because that is not, at least, what is in my mind. But I would like the teenagers that come down with the beer and the liquor that the next day we have to come back to our beach and clean all the glass. This has got to be stopped. Thank you."

George Schmelzer, Calverton, "I reside at 200 Howell Avenue at Town Board meetings. Otherwise I reside at River Road, Calverton. I was thinking, how was it way back before they had four wheel drive automobiles. Probably on the beach people went down with horse and wagons and the beach is all full of horse biscuits. Then the people would be swimming dodging the horse biscuits and the crabs and lobsters would come in to eat the horse biscuits and bit the people on the toe. What a hell of a time they must have had. Anyway, about the high water mark. The legal high water line; is there any information available where you could get that or exactly where that is? Would the federal government or the state government allow some guy to come down and point out the high water mark along the beach at people's property lines? Is that possible?"

Supervisor Janoski, "You know that it's not."

George Schmelzer, "Then what the h--- is this? They say the title goes to the high water mark and nobody knows where it is. If the federal government says they know, I think you made a statement before that they are the ones that know where it was or is or might be. Maybe something like going to the moon almost. So if nobody can determine where the legal high water line is, what the h--- is this all about? Really. If you could determine where it is, the town could put a property line marker or drive a four inch pipe in the ground at the boundary line about four feet or six feet down and extend up about four to six feet and then fill it with concrete. You can use that extortion money you got from the developers. You know, the two thousand a lot. It's supposed to be used for recreational purposes. That would be a good purpose. First you've got to get where the high water mark is. If you do that and put property monuments in or boundary monuments in, like I said, pipes. Not ordinary surveyor monuments because they get washed out the next day. So some of these owners wouldn't give a d--- if somebody used their land or not and some others do. So the ones that do care, they can fence it off until the next storm. As to the title of the land above the high water mark, I'll give you an example which I read. Montauk Harbor has a shoreline and there's a local road that goes around. Not too wide. I guess as wide as this room in some places. This really happened. The other side of the road was several houses. So for many years, the people in these houses walked across the road to use the beach or to get into a rowboat. Either the same owner of that strip or the new owner.... Am I took close? I could speak without this d--- thing. So the homeowners sued the landowner and because of adverse possession over ten years, they got the right to use that land to get to that beach and the landowner lost. Now let's take the case along the Sound beach. The vehicles have adversely used that private property to drive over for more than ten years, unmolested, unchallenged, hostilely and openly. If the landowner took them to court, I think the landowner would loose. So this is really a h--- of a mess if you can't get the federal government to point out exactly where the high water mark is. I think there's some

lawyers that might be drooling already. This is meat for lawyers. Are you drooling, Bob, yet? Okay."

Supervisor Janoski, "George, you have reached your five minutes but I thank you for your comments. I just need one question answered. Are you for or against this?"

George Schmelzer, "I'm against that the way it is. They've been using the beach for years."

Supervisor Janoski, "Thank you George."

George Schmelzer, "What did you thank me for? One more thing. You didn't tell me what you thanked me for."

Supervisor Janoski, "For your testimony. It was very illuminating."

George Schmelzer, "You mean you haven't got enough lights in here?"

Rose Danowski, Riverside Drive, "Not only the fishermen need the use of that beach. We have two children. My husband works seven days a week. Come Sunday night, Monday night, we want to take our kids down. My husband, as I said, works seven days a week. He can't walk two, three miles to get to a quiet part of the beach where we can enjoy it too. We take our four wheel drive, we obey the rules. We try to do everything that's right. I don't see anybody having the right to tell us we can't enjoy that too. Thank you."

Dick Ryan, Laurel, "Members of the Town Board, good evening. I a resident of Laurel. I'm a member of the East End Surf Fishing Club and the Long Island Beach Buggy Association. The East End Surf Fishing Club located in Riverhead Town has been in continuous operation for nearly 60 years. It has a present membership of over 200 and represents a voting constituency of an excess of 500 persons. As most of you know, this club is social in nature and exists for good fellowship, sportsmanship and a concern for a continued quality of life both environmentally and socially speaking. The club has over the years, undertaken efforts to maintain clean beaches in concert with Riverhead Town and to support good civic activities such as Little League Baseball, Pop Warner Football as well as the 4-H Camp at Baiting Hollow. The club and its members consider themselves to possess a concern for community and individual rights of all the citizens. Speaking as a person with over 30 years of working experience in matters relating to waterfront property and real property law, I would like to offer the following facts for your consideration concerning the issue that's the subject of this hearing. The exclusive private property rights of quote, waterfront owners, end quote, extends only to the general line of mean high water along Long Island Sound. The land area seaward of the mean high water line is part of the public domain, in this

case, owned by all the people of the State of New York. The adjacent private property owner has rights of access and enjoyment to the waters of Long Island Sound but they are not exclusive of the rights of the public to access and enjoy these same benefits. The rights of the public are predominate rights. The location of the general line of mean high water is defined in law and is clarified in case law resulting in court decisions. One case that I would refer you to is called Dolphin Lane Associates versus the Trustees of the Town of Southampton. The definitions of law as further clarified in case law have indicated the seaward limits of the wetland vegetation where such vegetation exists or the landward limit of the drift, the break or often called the break line or the drift line is the indication of the location of the general line of mean high water. The Town of Riverhead has opportunity to regulate public use of that area of Long Island Sound Shore frontage of the mean high water line through its legal exercise of zoning and other police powers granted by the State Legislature. I would offer the following opinion. The issue of this hearing has very little to do with the popular meaning of the word environment but a great deal to do with society. The issue reflects a social problem to which members of the East End Surf Fishing Club are sworn to be associated with. The problem is controllable through regulation and enforcement action by the town. Regulation can focus on the type and manner of use of the shorefront. It can impose restraints which consider private property rights, public rights, vehicle types, vehicle registration, vehicle uses, seasons of use and hours of use just to name a few. For a regulation to be credible however, there must be enforcement. The lack of enforcement benefits only rule breaker and serves to aggravate the problem that is the issue before this Board. In closing, I respectfully request the Board be mindful of what class of persons and uses are really the cause of the alleged problems. Thereafter, I suggest that the Board consider whether it presently has the resources and the will to lessen the problem with energetic enforcement of the existing regulations. Let alone through the creation of additional new regulations. Members of the East End Surf Fishing Club ask for these considerations because your actions will effect the continued existence and purpose of this long time responsible institution which believes itself to be a part of the community of Riverhead. Thank you."

Bill O'Haire, Reeves Park, "I'm not a lawyer nor a comedian. And I think that I've been standing here since 7:55 and I'm hearing remarks; move city people. We live hear all year around. We vote and pay taxes. We pay taxes all year around. This is a summer economy in this town. Now, we're not asking... It's a no win situation your part no matter what you do. So we're not asking that you restrict the beaches to fishermen. Fishermen are responsible. You've got to enforce it and the enforcement is the only way out of it."

Tommy Owen, Wading River, "I just moved into Riverhead Town. I was a former Brookhaven resident. And the first thing when I moved into Riverhead Town was being able to get a beach buggy permit again and drive on the town beaches. Nothing makes me happier than to take my two year old daughter down to the beach and initiate her into fishing, ecology and I think I just want to go on record as being against that I believe that this fishing or ecology or erosion or any other problems that they have. The whole underlying this is enforcement and I think that is what the problem is and I think that's what we should be addressing right now. Not whether we should restrict beach buggies."

Jim Wigand, Calverton, "I'm a four wheel drive owner and an avid camper. I use Riverhead beaches for recreational purposes and I really resent being portrayed as somebody who is indifferent or destructive to the environment. I'm a volunteer with the Okino's Research people and we've spent along with other people in the town who have spent time with their four wheel drives on the beach looking for stranded sea turtles to return them to their natural environment. These are endangered species. We help the environment. We're trying. I'd just go on record as being against this ban. Thank you."

Supervisor Janoski, "Is there anyone who has not spoken who still wishes to speak? Betty Brown."

Betty Brown, N.F.E.C., "Lots of the points that I was going to make have been made by I'll just generalize if I may. The North Fork Environmental Council has worked with promoting environmental protection for many years. Encouraging the use of our beach and waters, is and has been a priority to enhance a healthy environment and protect our unique communities. Our population is growing. Social and environmental problems increase and must therefore, be addressed. We recommend close and immediate attention to the laws written to protect and enhance our community which should include strict enforcement of laws. This is a serious responsibility not only for our environmental protection but for safety. From the comments here this evening, it seems that everyone wants violators to be caught and punished. They've been getting away with murder and they are obviously putting in jeopardy privileges that residents here hold dear. Brookhaven and Southold, as it has been pointed out this evening, have been forced to ban vehicles from their Sound shores. I might add that Connecticut has joined in that ban. We ask the Board to be sensitive to comments and testimony brought to you this evening. Perhaps we can avoid such a ban if the laws are enforced. Thank you."

Steve Haizlip, Calverton, "I'm listening to all this testimony here this evening. It isn't so much that the average beach going is doing any damage or destruction or the fishermen. It's the people that the ladies are talking about that lived in that area that are squealing around, going up the side of the

cliff and causing it to erode. Now, they're the people that should be punished and banned from the beach. Full law enforcement directed to them and punish them. Not the average working people. The lady that works seven days a week, if she wants to go down two hours at night and then gets prohibited. I don't think.... Let's stay after these destructive ones that are tearing it up. Thank you."

Supervisor Janoski, "Is there anyone remaining who has not yet spoken? Yes sir."

Gerry Sheehan, Reeves Park, "Mr. Janoski, Town Board members. I spoke before at another meeting that we had on this and suggested the same thing about some kind of beach patrol to work in coordination with the Riverhead Police. I think that that's important that you take that into consideration. And it has worked in Southampton Town and it can work up here. And I'd like to address one of the points that someone had made here about vehicles down on the beach at Reeves Park parked with no trailers to them on the beach. They said something like 15 vehicles. I take my two year olds down there because I can't walk from my house to the beach with my two year olds. The reason I go down on the beach and park there is so I can leave a space for someone else that can enjoy the parking lot. So whenever you see a vehicle on the beach, it doesn't necessarily that they're not a fisherman or there's some reason they shouldn't be there. But I think what is important is what I said before about some kind of patrol down there to work in coordination with the Riverhead Town Police. Chief Grattan was here before and we said something about it and he said there was some legal ramifications to this. I think something could be worked out and I'd be more than willing to go talk to him and I know other people would too. I oppose the ban of the vehicles on the beach. Thank you."

Eileen Ruskovitch, Riverhead, "I would just like to go on record opposing the ban on the beach. And I feel that it's a problem that the Board members and all of you face to reconcile this problem. Even if it's taking funds that are set aside for recreation to either purchase a traffic lane or create some sort of an access especially to the areas of Roanoke Avenue where you have three miles of beach that are absolutely desolate and it's beautiful and everybody should be entitled to enjoy it."

Supervisor Janoski, "Is there anyone remaining who has not yet spoken who wishes to be recognized?"

Kerry Kurpetski, Riverhead, "I just want to state for the record that I oppose this proposal to ban all four wheel drive vehicles from the beach."

Supervisor Janoski, "Anyone? Mr. Roberts, now is your time to finish up."

Bill Roberts, "Countless people have said enforce the law that exists. The law that exists says you have to drive below the mean high water mark, below the mean high water mark. Any serious fishermen...."

Supervisor Janoski, "Mr. Roberts, why don't we take a moment until all those people who are leaving do that."

Bill Roberts, "Any dedicated fishermen will walk or drive a half of mile or so to a spot that has fish. All serious fishermen know that you best catch from a small boat near the beach. Or if you're casting from the beach near submerged rocks, jetties and wrecks that are normally only a short walk from any access road. Added to the problem of conventional four wheel drive vehicles on privately owned beaches is the horrible damage brought by two wheel motorbikes and three and four wheel all terrain vehicles. The Town Code prohibits them from all beaches. Right in the code but they go where they want when they want ripping out beach grasses planted at the base of the bluff to prevent erosion. They go into the wetland area scaring terns and other birds into frantic flight. There use to be nesting places there. I use to go catch killies in the creek at Baiting Hollow. They use to dive bomb you if you went in there. Now you don't see any nesting because it's all been driven out by the atvs. They go up and down the base of the cliff. They play loop to loop until they're forced by gravity to tumble down and they bring down tons of sand in the process. The town is planning to implement its version of the Coastal Zone Management Plan that is to prevent erosion at the base of the bluff so the tops don't slide down. But for lack of enforcement, that erosion continues. The town can't catch a single atv because Chief Grattan has told me, you have to catch them with other atvs. Atvs can go anywhere. They don't need roads. They can go up and down bluffs and they disappear up them too. As for enforcement, the town has one four wheel drive jeep in its possession and is awaiting delivery on a second. That sounds great doesn't it to protect about 13 miles of beach on the Sound and approximately the same distance on the Peconic Bay. But you'll never see them policing the beaches enforcing the law because the town doesn't have the money, the manpower nor the equipment to police the beaches. The only time the four wheel drive jeeps be used on beach patrol according to Chief Grattan, will be on an overtime pay basis. Overtime pay because the town has so few cars and so few policemen, they can't afford to have regular policemen patrolling in those jeeps. Beaches are for people, not for motor vehicles. There was a young man killed on the beach of Hulse Landing Road two years ago. Truck kills pedestrian at beach, two thirty in the morning. I looked it up. He didn't have a beach permit. They had a couple of drinks, they went down there. He ran in front of the vehicle. He ran over him and crushed his chest. He died, 23 years old. The town says motor vehicles can park or operate on the beach between the hours of 6 p.m. through 9 a.m. Who is the town to say; okay, open season for property owners because we say they can't be on the beach between the hours of 6

p.m. and 9 a.m. By setting hours of operation, the town is denying property owners freedom of use and from their properties. Suppose there's an accident on the beach? Does the town get sued? No. The property owner gets sued. Even if somebody cuts their foot on glass there. The town doesn't get sued. The property owner gets sued. So all beachfront property owners have to insure their properties up to the hilt just in case. Beach owners are sick and tired of the constant vehicular trespass across the beach portions of their properties. They're sick and tired of being told when and how they can use their properties. They're sick and tired of the partying, drinking, profanity, loud music, broken liquor, wine and wine coolers and beer bottles, cans for beer and soda, hooliganism, rowdyism, vandalism. In the Coastal Zone Management Program you plan to implement, I quote from page 14 and 15 from the proposed draft. The following restrictions apply to the use of vehicles on the beach; they must operate seaward of the upper debris line at all times, below the high water mark. New York State D.E.C.; motor vehicles must not travel on vegetation. And on penalties for offenses, any person violating this section of an offense, shall upon conviction thereof, be punishable by a fine or imprisonment or both. Fines may be up to \$1,000 and imprisonment may be for 30 days or less. If they ride above the high water mark, they're subject to those fines. Who is going to enforce this provision in the Coastal Zone Management Program? I repeat, ban all motor vehicles from all beaches. Make the fine for each offense stiff. Five hundred dollars, thirty days or both. Beachfront property owners will gladly file civilian complaints. And after the first few violators are caught, the problem will suddenly become less and less of a problem. I have some petitions to ban all motor vehicles from the Riverhead North Shore beaches. The signers are owners of parcels that front on Long Island Sound, that front on Long Island Sound. They own up to the high water mark. They're still coming in. I have owners of 71 parcels who have signed. They own 1,230.97 acres fronting on Long Island Sound, 1,231 acres. The taxable assessed valuation that they pay taxes on, is 18,474,000 dollars. Now, Glen Cove, things were brought up. The problem in Glen Cove is not a suit for fishermen above the high water mark. The owners there are claiming, through a King's grant many years ago, that they own below the high water mark. Vehicles on the beach, they park there many times at Reeves Park because there are no stalls available within the parking area. So they go down there and park. Thank you. I'll present the petitions to Irene Pendzick. And I also have packets of information of photographs. I haven't had a chance to assemble them but I'll give each one of the members of the Board copies of those tomorrow."

Richard Freeborn, "Once again, the issue here tonight does not seem to be the vehicles on the beach. It seems to be enforcement. I am quite sure that if you enforce the existing rules, you won't have all these complaints from these landowners and homeowners."

Supervisor Janoski, "You know, I've heard this over and over again. Do you have any ideas of what we should be doing?"

Richard Freeborn, "One idea that I'm sure a lot of people will agree on is set up some zone ten or fifteen feet from the existing bluff or dune."

Supervisor Janoski, "That's not enforcement."

Richard Freeborn, "Enforcement is regular patrols. I'm sure one alternative to any of this is to set up a zone ten or fifteen feet from the existing bluff or dune. And if it's regular patrol and it's checked, even if somebody is parked on the beach or next to it, then fine them."

Councilwoman Civiletti, "What would be.... Are you saying in that zone, you're not allowed to ride?"

Richard Freeborn, "That's right. Thank you."

Bob Gammon, "I spoke earlier. I don't know whether you know it or not. I'm sure you're aware of it. There are some very serious problems that have been prosed and some very serious questions tonight that need to be answered and addressed. One thought had occurred to me with respect to people having to work together. When they refuse to work together, then people start to get nasty. And that's a very unfortunate situation because then nothing is accomplished. A good case and point; I have a very good friend of mine (who's name I won't mention because he hasn't really given me permission to do so) recently had a road go in front of his home. There was a 20 foot buffer zone and 20 foot of his property was seized. And the reason it was seized on the premise that it was for the public good and welfare and I don't want to see that happen as far as any property owner because I am probably, in many respects, as anti-bureaucracy as you can get. But what I'm saying to everybody is, let's use our heads and let's compromise on this thing. Because judging from the general tenor of people that I've spoken with who are numerous, not just the occupants of this room, my scope of friends go well beyond the confines of this room. The general tenor is that the public wants to use and have access to the beach and there are handicapped people. There are older people. There are people with children that want to use the beach with a vehicle. One of the basic problems in Riverhead, we do not have adequate ingress and egress to the beaches. People have said earlier that Southold Town, for instance, Brookhaven Town, have stopped vehicles from using the beach. That is true but you can not compare Riverhead to those two towns. I'm very familiar with both of them. Riverhead basically has only three points of entry to the beaches as far as whether you walk on, unless you happen to be fortunate enough to be a property owner of course. And we all know what they are. You know better than I what they are. You go out to Southold Town and you have numerous points of entry. You don't have to walk ten miles down the beach and back.

So that's basically the problem. So what I'm suggesting to the property owners and the vehicular owners, let's get together on this thing before there's some legislation that's sponsored where you're going to condemn the whole beach front and say that it's going to be one big state park. I don't think anybody wants that."

Supervisor Janoski, "Anyone else? Yes."

Glenn Just, "I was up here earlier stuttering. I'm president of the East End Surf Fishing Club. I just think it should go on record that the one stretch of beach that has been brought up quite a bit tonight which is from the Iron Pier ramp west down to Northville, some of the property owners that were here and did speak that they didn't want vehicles down there. You can't get there. There is a stone groin that's constructed on the west side of the launching ramp at Iron Pier. You can't drive over it. And the whole groin runs down almost to the Northville Docks that they have there. That's inaccessible to four wheel drives. We have no want to go down there. We have no need to go down there. I'd just like that pointed out. It shouldn't be an area that's under contention."

Supervisor Janoski, "Mr. Woods, did you wish to address the Board?"

Charles Wood, Wading River, "It would seem that there's some way of enforcing the problem which seems to be the atvs and kids just raising h---. When I grew up in Wading River, I could sleep on the beach but my kids I can't allow them to sleep on the beach on my own property. And it's not the fishermen, it's the truck that goes up and down across fifty owner's property in Wading River. Just imagine the ruts on your own personal property. If you put up a badminton net there in your backyard. Some of you people let your kids sleep in the backyard. I can't. My kids can't sleep in my backyard on the property I pay taxes on. So there should be some kind of way the fishermen that have radios in their vehicles or the beach owners or the people who live up on the cliff, could call the police when there's a vehicle on the beach that's obviously raising h--- and shouldn't be there. And if there's only three places where they enter and exit the beach, there should be a cop there to pick the trespasser up and there ought to be some way. Actually there's three groups of people. The people that own the property, the fishermen and the people that are raising h---. And the people that are raising h--- are pitting the property owners against the responsible fishermen and it shouldn't be that way. Thank you."

Don Duga, "In listening to what was going on here, a lot has been said. A lot of things have come out here which I find very interesting. One of the ideas was, the young man standing behind me, using the idea of a civilian patrol that would be tied in with cb's to the Police to inform them of these lawbreakers. Because it seems to be very clear that it is an issue not between

the fishermen and the landowners but it really should be the fishermen and the landowners together to unite against the people that are breaking the law. The ones that are really creating havoc and causing the problem. And I think that maybe it would be a good idea to explore maybe some of those possibilities of using the idea of a civilian patrol or something like that. I think that maybe further investigation of that idea maybe should be proposed. Thank you."

Supervisor Janoski, "Mr. Roberts."

Bill Roberts, "The U.S. Coast Guard and geodetic survey will give you the information on the mean high water mark. One thing I failed to mention was taxes. Everybody is concerned about taxes. Some Riverhead residents have said their taxes to pay for the beaches. That's absolutely true. All Riverhead residents pay for the upkeep of the four town beaches of Wading River, Reeves Beach, Iron Pier and South Jamesport, period. Not a single Riverhead resident taxes go to defray the taxes on any other property above the mean high water mark. Only the owners of parcels fronting on Long Island Sound pay the taxes on the beaches that happen to be part of their property. And the taxes they pay are higher than anybody else's because it is waterfront property. Ask the Assessor's Office for equal size lots on the water or inland, all waterfront property is assessed higher than inland lots."

Supervisor Janoski, "Okay. Come on."

Bob Weslowski, Sound Avenue, "I'm a Riverhead resident for 45 years and taxpayer. What he just mentioned about paying taxes and it's going to the town beaches only. Mr. Robert's property almost fronts the landing at Baiting Hollow at the end of Edwards Avenue. It's badly eroded. Every winter it gets replaced with dirt from the Highway Department, every Spring, if not more than that or two and three times a year. He uses it for his boat launch, his vehicle, walking. Our money, his money goes into it front of his property. It's washed out right now. It will be repaired within a day or two and he'll enjoy it again. I'd like to make that point. Also, as far as erosion, I've travelled that beach for 25 years on foot from Reeves to his house or in a vehicle or other people's vehicles. Today the erosion is from up top, the cliff dwellers. Not the beach buggies down below. You look at Warner Enterprises, the bluffs and also down by Woodcliff. Have him take a walk and look at that. I'll take anyone down and show them that too. Not from the ruts which we create which I agree we do. The next storm, it's cleaned up. The next day it's cleaned up. I oppose any change to the current law. Keep it in tact the way it is."

Supervisor Janoski, "Let me just say one thing Mr. Roberts. The purpose of this hearing is not for you to get into a personal debate with other people. I will recognize you as soon as I recognize this individual right here."

Mr. Weinhardt, "I spoke earlier about the beach ordinance. The local police enforce a neighborhood watch program which I am a block captain of in our trailer park. There is no crime in there because one another looks out for each other. And that will be the same thing if you implement the beach warden type thing. Everybody that's using the beach will look at for it and it will help bring under control the people that are, so called, ruining the beach for everybody. And I do agree that it shouldn't be the fishermen against the landowners. It should be the fishermen and landowners against the people that are ruining the beach. And that's the main reason why we're here is erosion, the problem with the drinking, all night parties going on. That is the question that needs to be addressed. Not whether we should close the beach down because the landowners don't want people on their beach. They don't own the sand. They own to the grass growing. They do not own below that grass growing. That is what is considered to mean high water. Where vegetation ends is mean high water. If there is no vegetation, that is mean high water. That is what has been proven on and on. Where the grass starts, nobody should ride up there anyway. That is 100% true. But to get back to the enforcement, your neighborhood watch programs work. If I'm correct, by all the tv advertisements I see, you take a bite of crime. This would be the same thing as the neighborhood watch program. You don't have to have any legalities. All you need is the license plates or a description of the vehicle and let the police handle it. Nobody has to get involved. Nobody has to say a word. You see what's going on, you tell somebody and it's taken care of. Neighborhood watch works. People don't get involved in physical neighborhood watch. The police come and it's taken care of. Thank you."

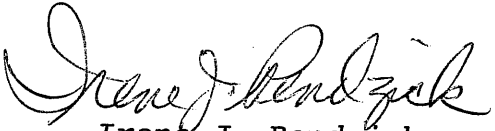
Bill Roberts, "For the record, I'd like to correct an inaccuracy made by Bob Weslowski. I do not live right alongside Edwards Avenue. My property is about 1,500 east of Edwards Avenue. I do not have the town filling in the road and fixing up Edwards Avenue, just for the record. Fifteen hundred feet east of Edwards Avenue."

Supervisor Janoski, "Have we had it yet? Anyone else wish to address the Board. Why am I losing my voice? I didn't say anything else. No one else? Without objection, this hearing is closed and this meeting is adjourned."

7:55 PUBLIC HEARING CLOSED AT 10:28

There being no further business on motion or vote, the meeting adjourned at 10:28 p.m.

IJP:nm


Irene J. Pendzick
Town Clerk